



## Version 1.0 IT Procurement Policy Manual: BUY IT

Chapter 1	VITA's Purpose and Scope
1.0	Introduction
1.1	VITA's statutory IT procurement authority and responsibility
1.2	Public-private education facilities and infrastructure act (PPEA)
1.3	Purchase of personal computers
1.4	In-scope/out-of-scope and VITA's IT procurement authority
1.5	Delegated IT procurement authority
1.6	Process for requesting an exception to a VITA IT procurement policy or
	procedure
1.7	Procurements subject to VITA's IT procurement authority
1.7.1	Information technology equipment, software and services
1.7.2	Telecommunications
1.7.3	Internet and application service providers
1.7.4	Printers/copiers
1.7.5	Document imaging and management
1.7.6	IT management and IT consulting contracts
1.7.7	Miscellaneous
1.8	Procurements not subject to VITA's IT procurement authority
1.9	VITA's authority to contract for IT goods and services
1.9.1	Authority to bind the Commonwealth to an IT contract
1.9.2	Authority to bind VITA to an IT contract
1.9.3	Authority of executive branch agencies or institutions of higher education
	to sign an IT contract
1.9.4	Other public bodies' authority to sign an IT contract
1.10	CIO approval of certain IT and telecommunications procurements
1.10.1	IT projects and/or procurements proposed by state agencies and institutions exceeding \$100,000
1.10.2	Procurement solicitations involving major IT projects
1.10.3	Cooperative procurement arrangements or approval to purchase IT or telecommunications from another public body's contract
1.10.4	GSA schedule 70
1.10.5	Public auction
1.11	Exemptions from VITA's oversight or CIO procurement approval
1.12	Agency Procurement Request (APR) process
Chapter 2	How IT is Different
2.0.	Introduction
2.1	Government dependence upon technology has grown
2.2	Commonwealth use of technology has changed
2.3	Critical factors in IT procurement
Chapter 3	Supply Chain Management
3.0	Introduction
3.1	SCM's vision, mission and core values

3.2	SCM's guiding principles
3.3	Who does SCM serve?
3.4	What services does SCM offer?
3.5	What functions does SCM provide?
3.6	SCM's ongoing IT procurement initiatives and improvements
3.7	General SCM concepts
3.8	SCM's desired future
Chapter 4	SCM Services – Reserved for Version 2.0
Chapter 5	Ethics in Public Procurement
5.0	Introduction
5.1	Responsibilities of procurement professionals
5.1.1	Confidentiality
5.1.2	Ethics
5.1.3	Collusion awareness
5.2	Expectations of VITA's suppliers
Appendix A	VITA SCM Confidentiality & Conflict of Interest Statement
Chapter 6	Fair and Open Competition in IT Procurement
6.0	Introduction
6.1	VITA's competition principles
6.2	Promoting competition
6.3	Enabling competition
6.4	Aggregating or disaggregating IT procurements
6.5	When waiver of competition is necessary
6.6	Specific non-competitive actions prohibited by the Code of Virginia
Chapter 7	Promoting the Commonwealth's Socio-Economic Initiatives
7.0	Introduction
7.1	Small businesses and businesses owned by women, minorities and service
	disabled veterans
7.1.1	Overview
7.1.2	Required agency small business plans
7.1.3	Removal of barriers
7.1.4	Ordering against optional use and mandatory use statewide contracts
7.1.5	Set-asides for small businesses
7.1.6	Award to other than the lowest price bidder or highest ranking offeror over \$50,000
7.1.7	Solicitation sizing to encourage small business participation
7.1.8	Consultation with the Department of Minority Business Enterprise (DMBE)
	and the Department of Business Assistance (DBA)
7.1.9	Establishing mandatory use statewide contracts
7.1.10	Prime contractor requirements
7.2	Green procurement
7.2.1	Overview
7.2.2	Petitioning for less toxic goods or products
7.2.3	Procurement of recycled goods and products
7.2.4	Agency guidelines
7.3	Preferences
Appendix A	VITA's ongoing SWAM initiatives
Appendix B	VITA's green procurement objectives
Appendix C	Small business set-aside exemption documentation
Appendix D	Small business subcontracting plan
Chapter 8	Describing the Need: Specifications and Requirements
p 30. 0	

8.0	Introduction
8.1	Information technology specifications
8.2	Characteristics of effective IT specifications
8.3	Standard specifications
8.4	Design specifications
8.5	Performance specifications
8.6	Brand name specifications
8.6.1	When to use brand name or equivalent specifications
8.6.2	Required characteristics of brand name specifications
8.6.3	Nonrestrictive use of brand name or equivalent specifications
8.6.4	Determination of equivalents
8.6.5	Specifications of equivalents required for bid/proposal submittal
8.6.6	Code references regarding brand names
8.7	Qualified products/suppliers specifications and lists
8.8	Building IT requirements
8.8.1	Mandatory requirements
8.8.2	Functional requirements
8.8.3	Technical requirements
8.8.4	Work or performance requirements
8.8.5	
8.8.6	Requirements quality control Prohibition against wired requirements
8.8.7	Assistance by suppliers or potential suppliers in developing procurement
Chantar	specifications or requirements  Determining Fair and Reasonable Pricing
Chapter 9 9.0	Introduction
101	Fair and reasonable pricing
9.1	Fair and reasonable pricing
9.1.1	Fair pricing
9.1.1 9.1.2	Fair pricing Reasonable pricing
9.1.1 9.1.2 9.1.3	Fair pricing Reasonable pricing Determining a fair and reasonable price
9.1.1 9.1.2 9.1.3 9.2	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement
9.1.1 9.1.2 9.1.3 9.2 9.2.1	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4	Fair pricing Reasonable pricing  Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B Chapter 10	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form General IT Procurement Policies
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B <b>Chapter 10</b> 10.0	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form  General IT Procurement Policies Introduction
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B <b>Chapter 10</b> 10.0 10.1	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form General IT Procurement Policies Introduction Freedom of Information Act
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B <b>Chapter 10</b> 10.0 10.1 10.2	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form  General IT Procurement Policies Introduction Freedom of Information Act Confidentiality
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B Chapter 10 10.0 10.1 10.2 10.3	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form  General IT Procurement Policies Introduction Freedom of Information Act Confidentiality Section 508
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B Chapter 10 10.0 10.1 10.2 10.3 10.3.1	Fair pricing  Reasonable pricing  Determining a fair and reasonable price  Price or cost analysis requirement  Price analysis  Methods of price analysis  Cost analysis  When to perform a cost analysis  Other price evaluation factors  Evaluating warranty pricing  Price reasonableness determination documentation requirements  Researching historical pricing data  Price reasonableness determination form  General IT Procurement Policies  Introduction  Freedom of Information Act  Confidentiality  Section 508  Overview
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B Chapter 10 10.0 10.1 10.2 10.3 10.3.1 10.3.2	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form  General IT Procurement Policies Introduction Freedom of Information Act Confidentiality Section 508 Overview VITA's authority to promulgate regulations pertaining to Section 508
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B Chapter 10 10.0 10.1 10.2 10.3 10.3.1 10.3.2 10.3.3	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form  General IT Procurement Policies Introduction Freedom of Information Act Confidentiality Section 508 Overview VITA's authority to promulgate regulations pertaining to Section 508 Section 508 standards
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B Chapter 10 10.0 10.1 10.2 10.3 10.3.1 10.3.2 10.3.3 10.3.4	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form General IT Procurement Policies Introduction Freedom of Information Act Confidentiality Section 508 Overview VITA's authority to promulgate regulations pertaining to Section 508 Section 508 standards Defining requirements under Section 508
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B Chapter 10 10.0 10.1 10.2 10.3 10.3.1 10.3.2 10.3.3 10.3.4 10.3.5	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form General IT Procurement Policies Introduction Freedom of Information Act Confidentiality Section 508 Overview VITA's authority to promulgate regulations pertaining to Section 508 Section 508 standards Defining requirements under Section 508 IT Procurements not applicable to Section 508
9.1.1 9.1.2 9.1.3 9.2 9.2.1 9.2.2 9.2.3 9.2.4 9.3 9.4 9.5 Appendix A Appendix B Chapter 10 10.0 10.1 10.2 10.3 10.3.1 10.3.2 10.3.3 10.3.4	Fair pricing Reasonable pricing Determining a fair and reasonable price Price or cost analysis requirement Price analysis Methods of price analysis Cost analysis When to perform a cost analysis Other price evaluation factors Evaluating warranty pricing Price reasonableness determination documentation requirements Researching historical pricing data Price reasonableness determination form General IT Procurement Policies Introduction Freedom of Information Act Confidentiality Section 508 Overview VITA's authority to promulgate regulations pertaining to Section 508 Section 508 standards Defining requirements under Section 508

10.00	Commented and tractical laws at the Comment of the
10.3.8	Suggested contractual language to ensure Section 508 compliance
10.4	Technology access clause
10.4.1	Overview
10.4.2	Procurement requirements
10.4.3	Exceptions to nonvisual access standards
10.5	Discrimination prohibited
10.5.1	Small, women-owned, minority-owned and service-disabled veteran-
	owned businesses
10.5.2	Ex-offenders
10.5.3	Faith based organizations
10.6	Posting IT solicitations and awards
10.7	Notice of future contract opportunities
10.8	Subsequent/additional bid or proposal for same procurement
10.9	Prohibited participation
10.10	Contract and purchase order modification restrictions
10.11	Contract pricing
10.12	Order splitting prohibition
10.13	Prohibited contracts
10.14	VITA's core terms and conditions for public contracts
10.14.1	Employment discrimination by contractor prohibited
10.14.2	Drug-free workplace to be maintained by contractor
10.14.3	Payment clauses
10.14.4	Insurance
10.15	Computer equipment performance specifications
10.16	Taxes
10.16.1	Excise tax
10.16.2	State sales tax
10.16.3	Sales and use tax for state government and political subdivisions
10.16.4	Sales and use tax for contractors
10.17	Commodity codes
10.18	Freight
10.19	Used equipment
10.20	Evaluation products and testing
10.21	Guarantees and warranties
10.22	Procurements which require FCC licensing
10.23	Unsolicited proposals
10.24	Use of brand names
10.25	Supplier advertising prohibition
10.26	Public-Private Education and Infrastructure Act (PPEA)
10.26.1	PPEA process
10.26.2	Fees for proposal review
10.26.3	Proposal format for submission of proposals
10.26.4	PPEA proposals and the Freedom of Information Act
10.26.5	Agreement on protection of confidential information
10.26.6	VITA's reservation of rights
10.26.7	Additional VITA provisions
10.26.8	When is a similar proposal a competing proposal?
10.26.9	PPEA proposal steps
10.26.10	Applicability of other laws
<b>Chapter 11</b>	IT Procurement Planning and Strategic Sourcing
11.0	Introduction
_ 11.∪	ITITI OCIUCIT

11 1	Variana IT maanmanah aannariaa
11.1	Various IT procurement scenarios
11.2	IT procurement planning principles
11.3	Benefits of IT procurement planning
11.4	IT procurement planning roles and responsibilities
11.5	Market research
11.5.1	The purpose of market research
11.5.2	Methods of market research
11.6	Key steps and milestones of IT procurement planning
11.6.1	Define business objectives
11.6.2	Develop requirements
11.6.3	Conduct solicitation
11.6.4	Manage and administer contract
11.7	Other considerations affecting the IT procurement planning process
11.7.1	Lease vs. buy analysis
11.7.2	Build vs. buy analysis
11.8	IT spend management
11.9	Outcomes of IT procurement planning
Chapter 12	Statements of Work for IT Procurements
12.0	Introduction
12.1	Developing the IT procurement's requirements definition
12.2	Defining the IT procurement's scope
12.3	Preparing a quality IT statement of work (SOW)
12.4	Unique IT procurements
12.4.1	Solution-based and complex IT procurements
12.4.2	Performance-based IT procurements
12.5	Final quality check of the SOW
Appendix A	Project scope statement template
Chapter 13	The IT Procurement Project Team
13.0	Introduction
13.1	Selecting PPT members
13.2	Defining roles and responsibilities
13.3	Confidentiality
Appendix A	Procurement project/evaluation team – Confidentiality and Conflict of Interest Statement
Appendix B	Evaluation Team Survey
Chapter 14	Selecting the IT Procurement Method
14.0	Introduction
14.1	Competitive procurement methods
14.2	Non-competitive procurement methods
Chapter 15	Small IT Purchase Procedures
15.0	Introduction
15.1	Competitive requirements
15.1.1	Small purchases (below \$5,000)
15.1.2	Procurements over \$5,000 to \$50,000
	Sole Source IT Procurements
Chapter 16	Sole Source IT Procurements
<b>Chapter 16</b> 16.0	Introduction
16.0	Introduction
16.0 16.1	Introduction Sole source procurement justifications
16.0 16.1 16.2	Introduction Sole source procurement justifications Sole source procurement process requirements

16.6	How to complete the cale course procurement file
	How to complete the sole source procurement file
Appendix A	IT goods and services sole source procurement approval request form
Appendix B	Price reasonableness determination form
<b>Chapter 17</b> 17.0	Introduction
17.1 17.2	Competition requirements in emergency IT procurements
	Emergency IT procurement requirements
17.3	Determination of price reasonableness
17.4	Documentation for the emergency IT procurement file
Appendix A	Emergency IT procurement notification form
Chapter 18	Requests for Information, Prequalification of Suppliers, Unsolicited Proposals
18.0	Introduction
18.1	
18.1.1	Requests for information  When to use an RFI
18.1.2	
	General guidelines for developing an RFI
18.2	Prequalification of suppliers or products
18.2.1	Prequalification procedure  Criteria for denying a supplier as unqualified
18.2.2	Criteria for denying a supplier as unqualified
18.3 18.3.1	Unsolicited proposals
	How unsolicited proposals are submitted and evaluated
18.3.2	Requirements for awarding an unsolicited proposal
Chapter 19	Public, Online and Reverse Auctions
19.0	Introduction Public and the second se
19.1	Public and online auctions
19.2	Reverse auctions
19.2.1	General information about reverse auctions
19.2.2	Traditional auction vs. reverse auction
19.2.3	Benefits of reverse auction
19.2.4	Guidelines for using reverse auctions
19.2.5	"Best value" reverse auctions
19.2.6	"Lowest price" reverse auctions
19.2.7	Reverse auction terms and conditions
19.2.8	The reverse auction schedule
Chapter 20	Cooperative and GSA Contract IT Procurements
20.0	Introduction
20.1	Purchases from cooperative procurements (non-GSA Schedule 70)
20.1.1	Characteristics of good cooperative procurements
20.1.2	Benefits of cooperative procurement arrangements
	Defens velice a comment of contract
20.1.3	Before using a cooperative contract
20.1.3 20.1.4	Challenges in using or establishing a cooperative contract
20.1.3 20.1.4 20.1.5	Challenges in using or establishing a cooperative contract Types of cooperative procurements
20.1.3 20.1.4 20.1.5 20.1.6	Challenges in using or establishing a cooperative contract Types of cooperative procurements Before issuing the cooperative solicitation
20.1.3 20.1.4 20.1.5 20.1.6 20.1.7	Challenges in using or establishing a cooperative contract Types of cooperative procurements Before issuing the cooperative solicitation Sourcing and issuing the solicitation
20.1.3 20.1.4 20.1.5 20.1.6 20.1.7 20.1.8	Challenges in using or establishing a cooperative contract Types of cooperative procurements Before issuing the cooperative solicitation Sourcing and issuing the solicitation Evaluating and negotiating offers
20.1.3 20.1.4 20.1.5 20.1.6 20.1.7 20.1.8 20.1.9	Challenges in using or establishing a cooperative contract Types of cooperative procurements Before issuing the cooperative solicitation Sourcing and issuing the solicitation Evaluating and negotiating offers Contract award and administration
20.1.3 20.1.4 20.1.5 20.1.6 20.1.7 20.1.8 20.1.9 20.1.10	Challenges in using or establishing a cooperative contract Types of cooperative procurements Before issuing the cooperative solicitation Sourcing and issuing the solicitation Evaluating and negotiating offers Contract award and administration Documentation for the procurement file
20.1.3 20.1.4 20.1.5 20.1.6 20.1.7 20.1.8 20.1.9 20.1.10 20.2	Challenges in using or establishing a cooperative contract Types of cooperative procurements Before issuing the cooperative solicitation Sourcing and issuing the solicitation Evaluating and negotiating offers Contract award and administration Documentation for the procurement file Purchases from federal GSA Purchasing Schedule 70 (technology)
20.1.3 20.1.4 20.1.5 20.1.6 20.1.7 20.1.8 20.1.9 20.1.10 20.2 20.2.1	Challenges in using or establishing a cooperative contract Types of cooperative procurements Before issuing the cooperative solicitation Sourcing and issuing the solicitation Evaluating and negotiating offers Contract award and administration Documentation for the procurement file Purchases from federal GSA Purchasing Schedule 70 (technology) Background and description of GSA Schedule 70
20.1.3 20.1.4 20.1.5 20.1.6 20.1.7 20.1.8 20.1.9 20.1.10 20.2	Challenges in using or establishing a cooperative contract Types of cooperative procurements Before issuing the cooperative solicitation Sourcing and issuing the solicitation Evaluating and negotiating offers Contract award and administration Documentation for the procurement file Purchases from federal GSA Purchasing Schedule 70 (technology)

20.2.4	Combinatival barrier and conditions
20.2.4	Contractual terms and conditions
20.2.5	Voluntary use of schedules by suppliers
20.2.6	GSA supplier performance
20.2.7	Ordering from GSA Schedule 70
20.2.8	When ordering IT goods utilizing GSA Schedule 70
20.2.9	Procurement file documentation
Appendix A	Cooperative procurement quick facts
Appendix B	Steps for ordering IT services utilizing GSA Schedule 70
Appendix C	IT cooperative procurement approval request form
Chapter 21	Performance-Based Contracting, Statements of Work and Service
21.0	Level Agreements
21.0	Introduction (PDC)
21.1	Performance-based contracting (PBC)
21.1.1	PBC is results-oriented
21.1.2	PBC objectives
21.2	Elements of PBCs
21.2.1	Developing a PBC contract
21.2.2	PBC success factors
21.2.3	Defining performance needs and incentives
21.3	Performance measures
21.3.1	Data gathering
21.3.2	Cost analysis
21.3.3	Performance measurement and metrics
21.3.4	Payment for performance
21.4	The PBC statement of objective (SOO)
21.5	The PBC statement of work (SOW)
21.5.1	General guidelines for SOW preparation
21.5.2	Developing performance requirements and standards
21.6	Quality control plan (QCP)
21.7	Quality assurance surveillance plan (QASP)
21.8	Developing performance incentives
21.9	Selecting the PBC incentive strategy
21.9.1	Use of incentive contracts
21.9.2	Modular strategies
21.9.3	Options as incentives
21.9.4	Multiple awards
21.9.5	Payment strategies
21.9.6	Value engineering
21.9.7	Past performance evaluation and recognition
21.10	Service level agreements (SLAs)
21.10.1	Key points to developing a successful SLA
21.10.2	Internal SLAs
21.10.3	SLAs in a technology transfer relationship
21.11	PBC post-award management
Chapter 22	IT Competitive Sealed Bidding/Invitation for Bid
22.0	Introduction
22.1	Preparing and issuing an IFB
22.1.1	Terms and conditions
22.1.2	Small business requirements
22.1.3	Technical and functional requirements and specifications
22.1.4	Used or new products

22.1.5	Has of brand names (aubatitutions
22.1.5	Use of brand names/substitutions
22.1.6	Price
22.1.7	Reporting, inspection and testing requirements
22.1.8	Pre-bid conferences/site visits
22.1.9	Bidder samples
22.1.10	Descriptive literature
22.1.11	Evaluation criteria
22.1.12	Validity period of bids
22.2	IFB sources
22.3	Modifications, clarifications and revisions to the IFB
22.3.1	Modifications to the IFB
22.3.2	Bidder requested IFB clarifications
22.3.3	Extension of bid acceptance period
22.3.4	Postponement of bid opening
22.4	Cancelling an IFB
22.4.1	Cancelling an IFB before receipt of bids
22.4.2	Cancelling an IFB after receipt of bids
22.5	Receipt and opening of sealed bids
22.6	Late bids
22.7	Bid responses
22.7.1	Acceptable bid signatures
22.7.2	Responsiveness of bids
22.7.3	Alternate bids
22.8	Evaluating bids
22.8.1	Determining a responsive bidder
22.8.2	Determining a responsible bidder
22.8.3	Determining the lowest bidder
22.8.4	Determining a bidder is non-responsibly and protests of non-responsibility
	determinations
22.8.5	Bidder ineligibility
22.9	Cancellation or rejection of bids
22.10	Withdrawal of bids and bid mistakes, alterations and amendments
22.10.1	Withdrawal of bid before bid opening
22.10.2	Withdrawal of bid after bid opening
22.10.3	Appeal of denial of withdrawal of bid
22.10.4	Minor informalities or irregularities in bids
22.10.5	Occurrence of bid change
22.11	Request for clarification information from bidders
22.12	Negotiation with the lowest bidder
22.13	Posting of award
22.14	Cancellation of award prior to performance
22.15	Procurement file documentation requirements
Appendix A	IT IFB Process Overview
Appendix B	Small Business Subcontracting Plan
Chapter 23	Two-Step Competitive Sealed Bidding
23.0	Introduction
23.1	When to use two-step competitive sealed bidding
23.2	Two-step competitive sealed bidding process options
23.2.1	Combined two-step competitive sealed bidding
23.2.2	Uncombined two-step competitive sealed bidding
23.3	Conducting two-step competitive sealed bids
۷.0	Leonadeting two-step competitive sealed bids

23.3.1	Step one: unpriced technical proposals
23.3.2	Step two: pricing offers
23.4	Award document
23.5	Procurement file
Appendix A	Two-step and combined two-step competitive sealed bidding process quick sheet
Chapter 24	Requests for Proposals and Competitive Negotiations
24.0	Introduction
24.1	Pros and cons of RFPs and competitive negotiations
24.2	Solution-based RFPs and performance-based contracting
24.2.1	Solution-based RFPs
24.2.2	Performance-based contracts
24.3	Pre-RFP activities
24.3.1	Putting together the procurement project team (PPT) and evaluation team (ET)
24.3.2	Is an executive steering committee needed?
24.3.3	Develop the RFP time table
24.3.4	Determination to utilize a request for information (RFI) or request for
	qualifications (RFQ) prior to the RFP
24.4	Confidentiality
24.4.1	Communications with potential suppliers prior to RFP posting/release
24.4.2	Confidentiality during RFP development
24.4.3	Confidentiality of RFP and proposals prior to proposal opening
24.4.4	Confidentiality during the evaluation of proposals
24.5	Preparing an RFP
24.5.1	Contents of an RFP
24.5.2	Preparing and writing RFP requirements
24.5.3	Documenting functional requirements
24.5.4	Documenting technical requirements
24.5.5	Preparation instructions for presentations/demonstrations/site visits
24.5.6	Preparing the evaluation criteria and evaluation process
24.5.7	Types of evaluation criteria
24.5.8	Examples of IT evaluation criteria
24.5.9	Supplier evaluation criteria
24.5.10	Weighting the evaluation criteria
24.5.11	Methodologies for weighting criteria
24.5.12	Supplier's obligation to understand RFP content and specifications
24.5.13	Completing the RFP package
24.6	Issuing the RFP
24.7	Posting and advertising the RFP
24.8	Events that may occur during the posting period
24.8.1	Pre-proposal conference
24.8.2	Information requests during the posting period
24.8.3	Issuing amendments to an RFP before proposal due date
24.9	Cancelling the RFP
24.9.1	Cancellation before proposal due date
24.9.2	Cancellation after proposal due date
24.10	Receipt and distribution of proposals
24.10.1	Receipt of sealed proposals
24.10.1	Distribution of proposals
24.11	Proposal clarifications
47.11	

24.12	Mistalias in manage
24.12	Mistakes in proposals
24.13	Modifying or adding requirements after proposal due date
24.14	Evaluation and scoring of proposals
24.14.1	Evaluation process – roles and responsibilities
24.14.2	Scoring proposals
24.14.3	Evaluation team (ET) meetings
24.14.4	Preparing the short list of suppliers
24.14.5	Conduct in-depth evaluation
24.14.6	Test/site visit/presentations
24.14.7	Preliminary negotiations (if appropriate)
24.14.8	Total solution cost analysis (after preliminary negotiations)
24.14.9	Identify top contenders
24.14.10	Update executive steering committee (if appropriate)
24.15	Final negotiations
Appendix A	Procurement project/evaluation team confidentiality and conflict of
	interest statement
Appendix B	Checklist of issues to resolve before and during RFP preparation
Appendix C	The RFP process checklist
Appendix D	Contents of a quality IT RFP
Appendix E	Requirements verification checklist
Appendix F	A 10-step process for evaluating proposals
Appendix G	VITA SCM RFP timeline template (provided as an example)
Chapter 25	IT Contract Formation
25.0.	Introduction
25.1	Statutory provisions relating to contracts
25.2	The offer
25.2.1	Revocation of an offer
25.2.2	Termination of an offer
25.2.3	Rejection of an offer
25.3	The acceptance
25.3.1	Acceptance by silence
25.3.2	Notice of acceptance
25.3.3	Notice of acceptance by performance
25.3.4	Notice of acceptance by return promise
25.3.5	When an acceptance becomes effective
25.3.6	Terms of acceptance
25.3.7	Acceptance of terms on packaging and in shrinkwrap and clickwrap
25.4	Forming an IT contract
25.4.1	The contract document
25.4.2	General guidelines for a successful IT contract
25.5	
25.5.1	Code of Virginia contractual requirements  Insurance
I 25.5. I	
25.5.2	Employment discrimination by supplier prohibited
25.5.2 25.5.3	Drug free workplace to be maintained by supplier
25.5.2 25.5.3 25.5.4	Drug free workplace to be maintained by supplier Payment clauses to be included in contracts
25.5.2 25.5.3 25.5.4 25.5.5	Drug free workplace to be maintained by supplier Payment clauses to be included in contracts Technology Access Act
25.5.2 25.5.3 25.5.4 25.5.5 25.5.6	Drug free workplace to be maintained by supplier Payment clauses to be included in contracts Technology Access Act Section 508 compliance
25.5.2 25.5.3 25.5.4 25.5.5 25.5.6 25.6	Drug free workplace to be maintained by supplier Payment clauses to be included in contracts Technology Access Act Section 508 compliance Federal contractual requirements
25.5.2 25.5.3 25.5.4 25.5.5 25.5.6 25.6 25.6.1	Drug free workplace to be maintained by supplier Payment clauses to be included in contracts Technology Access Act Section 508 compliance Federal contractual requirements Civil rights clause
25.5.2 25.5.3 25.5.4 25.5.5 25.5.6 25.6	Drug free workplace to be maintained by supplier Payment clauses to be included in contracts Technology Access Act Section 508 compliance Federal contractual requirements

05 ( )	I. D. II. LO. III. III.
25.6.4	Energy Policy and Conservation Act compliance
25.6.5	Anti-Lobbying Act
25.6.6	Debarment Act compliance
25.7	VITA contractual requirements
25.7.1	Requirements for SCM strategic sourcing professionals
25.7.2	Requirements for delegated agency procurement professionals
25.7.3	Requirements for promoting supplier performance
25.8	VITA recommendations for a successful IT contract
25.8.1	IT scalability
25.8.2	Material breach provision in IT contracts
25.8.3	Related services provision in IT contracts
25.8.4	Source code escrow
25.8.5	Key IT supplier personnel
25.8.6	Alternative disputes resolution (ADR) in IT contracts
25.8.7	Force majeure in IT contracts
25.8.8	Disaster recovery provision in IT contracts
25.8.9	Termination of IT services
25.8.10	Maintenance needs in IT contracts
25.8.11	IT documentation and training needs
25.8.12	IT hold harmless clauses
25.8.13	Liquidated costs and completion penalties in IT contracts
25.8.14	Liability limitations in IT contracts
25.8.15	Assignment of IT contracts
25.8.16	IT performance bonds
25.8.17	The IT statement of work
25.8.18	IT confidentiality agreements
25.8.19	IT warranties
25.8.20	IT indemnification
25.8.21	IT pricing
Appendix A	Minimum VITA Requirements for Agency Delegated RFPs/Contracts
Appendix B	Table of contents from VITA's "solution" contract
Appendix C	Certification Regarding Lobbying
Chapter 26	Negotiating IT Contracts
26.0	Introduction
26.1	Contract negotiation steps
26.1.1	Preparation
26.1.2	Conduct a risk analysis
26.1.3	Developing the negotiation strategy
26.1.4	Assign negotiation team and roles
26.2	Conducting negotiations
26.3	Special negotiation issues
26.3.1	Software licensing negotiations
26.3.2	Technology pricing negotiations
26.4	Post-negotiation activities
26.4.1	Conduct a "lessons learned" meeting
26.4.2	Negotiation file requirements
26.5	Negotiation guidance
Appendix A	Negotiation strategy worksheet/Risk mitigation worksheet
(separate	Wegetiation strategy worksheet/Risk mitigation worksheet
Excel	
I F X (.₽)	
spreadsheet)	

01 1 07	
Chapter 27	Software Licensing and Maintenance Contracts
27.0	Introduction
27.1	Understanding the agency's business problem
27.2	Software license user base
27.3	Software licensing costs
27.4	Developing an appropriate license agreement
27.5	Contractual provisions for software license agreements
27.5.1	Assignment of software license and maintenance contracts
27.5.2	Payment of software licenses
27.5.3	Maintenance/support/upgrades
27.5.4	Illicit code
27.5.5	Source code escrow
27.5.6	Bankruptcy of supplier
27.5.7	Supplier audit rights
27.5.8	Documentation and training
27.5.9	Right to customizations or enhancements
27.5.10	Software license agreement recommended language or expectation
27.5.11	Software terms and usage information
27.6	Intellectual property (IP) and ownership
27.6.1	Copyright
27.6.2	Patents
27.6.3	Trade secrets
27.6.4	Trademarks
27.7	Intellectual property license types
27.7.1	Unlimited
27.7.2	Government purpose
27.7.3	Limited or restricted
27.8	IP ownership and rights for Commonwealth agencies and institutions
27.8.1	Determining the appropriate type of IP ownership for the Commonwealth
27.8.2	Determining the appropriate IP rights for the Commonwealth
27.9	Defining IP ownership and license rights in the contract
27.9.1	License for government purposes
27.9.2	Redistribution rights
27.9.3	Modification rights
27.9.4	Length of license
27.9.5	IP indemnification/copyright infringement
27.10	Software access, ownership and license issues that may arise
Appendix A	IP/IT contract checklist
Appendix B	Best practice tips for software agreements
Chapter 28	Telecommunications – Reserved for Version 2.0
Chapter 29	Award and Post-Award of IT Contracts
29.0	Introduction
29.1	Before award
29.2	Types of awards
29.2.1	Split awards
29.2.2	Partial and multiple awards
29.3	Award documents
29.4	Contract execution and award
29.5	Notice of award and notice of intent to award
29.6	Post-award activities
29.6.1	Documentation and filing

29.6.2	Contract kickoff meeting
Chapter 30	Contract Management and Supplier Management – Reserved for
Chapter 30	Version 2.0
Chapter 31	NG Partnership – Reserved for Version 2.0
Chapter 32	Protest Procedures
32.0	Introduction
32.1	Overview of VITA's protest policy
32.2	Supplier ineligibility/disqualification determinations
32.3	Denial of supplier's withdrawal of bid/proposal
32.4	Determination of supplier non-responsibility
32.5	Protest of award
32.6	Roles and responsibilities of the parties during a protest
32.6.1	Responsibilities of the purchasing agency
32.6.2	Responsibilities of the customer (if the customer is not the purchasing agency)
32.6.3	Responsibilities of the protesting supplier
32.7	Effect of protest appeal upon contract
32.8	Stay of an award during protest
32.9	Review of protest by purchasing agency
32.10	Utilizing ADR for a protest appeal
32.11	Legal action for protest appeal
32.12	Frivolous protests
32.13	Appeals and disputes
32.13.1	Contractual disputes
32.13.2	Using ADR for contract disputes
32.14	Ways to minimize the likelihood of protests
JZ.14	ways to minimize the likelihood of protests
Chapter 33	Supplier Suspension and Debarment – Reserved for Version 2.0
Chapter 33	Supplier Suspension and Debarment – Reserved for Version 2.0
Chapter 33 Chapter 34	Supplier Suspension and Debarment – Reserved for Version 2.0 IT Contract Administration
Chapter 33 Chapter 34 34.0.	Supplier Suspension and Debarment – Reserved for Version 2.0 IT Contract Administration Introduction
Chapter 33 Chapter 34 34.0. 34.1	Supplier Suspension and Debarment – Reserved for Version 2.0 IT Contract Administration Introduction General contract administration
Chapter 33 Chapter 34 34.0. 34.1 34.1.1	Supplier Suspension and Debarment – Reserved for Version 2.0 IT Contract Administration Introduction General contract administration Core contract administration functions
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1	Supplier Suspension and Debarment – Reserved for Version 2.0 IT Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2	Supplier Suspension and Debarment – Reserved for Version 2.0 IT Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor supplier certifications and reporting
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3	Supplier Suspension and Debarment – Reserved for Version 2.0 IT Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor supplier certifications and reporting Monitor/coordinate subcontract approvals
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4	Supplier Suspension and Debarment – Reserved for Version 2.0  IT Contract Administration  Introduction  General contract administration  Core contract administration functions  Additional IT contract administration functions  Monitor contract compliance  Attend/host contract kick-off meeting  Monitor supplier certifications and reporting  Monitor/coordinate subcontract approvals  Monitor deliverables and acceptance
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5	Supplier Suspension and Debarment – Reserved for Version 2.0  IT Contract Administration  Introduction  General contract administration  Core contract administration functions  Additional IT contract administration functions  Monitor contract compliance  Attend/host contract kick-off meeting  Monitor supplier certifications and reporting  Monitor/coordinate subcontract approvals  Monitor deliverables and acceptance  Monitor supplier performance
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6	Supplier Suspension and Debarment – Reserved for Version 2.0  IT Contract Administration  Introduction  General contract administration  Core contract administration functions  Additional IT contract administration functions  Monitor contract compliance  Attend/host contract kick-off meeting  Monitor supplier certifications and reporting  Monitor/coordinate subcontract approvals  Monitor deliverables and acceptance  Monitor supplier performance  Monitor supplier warranties
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5	Supplier Suspension and Debarment – Reserved for Version 2.0  IT Contract Administration  Introduction  General contract administration  Core contract administration functions  Additional IT contract administration functions  Monitor contract compliance  Attend/host contract kick-off meeting  Monitor supplier certifications and reporting  Monitor/coordinate subcontract approvals  Monitor deliverables and acceptance  Monitor supplier performance
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6	IT Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor supplier certifications and reporting Monitor/coordinate subcontract approvals Monitor supplier performance Monitor supplier warranties Coordinate/monitor transmittal of and access to government
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.5 34.2.7	IT Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor/coordinate subcontract approvals Monitor deliverables and acceptance Monitor supplier performance Monitor supplier warranties Coordinate/monitor transmittal of and access to government property/data
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6 34.2.7	It Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor supplier certifications and reporting Monitor deliverables and acceptance Monitor supplier performance Monitor supplier warranties Coordinate/monitor transmittal of and access to government property/data Monitor invoicing and payment
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6 34.2.7	Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor supplier certifications and reporting Monitor deliverables and acceptance Monitor supplier performance Monitor supplier warranties Coordinate/monitor transmittal of and access to government property/data Monitor agency obligations
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6 34.2.7  34.2.8 34.2.9 34.2.10	It Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor supplier certifications and reporting Monitor deliverables and acceptance Monitor supplier warranties Coordinate/monitor transmittal of and access to government property/data Monitor agency obligations Process disputes, claims and resolution
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2.3 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6 34.2.7 34.2.8 34.2.9 34.2.10 34.2.11 34.3 34.3.1	It Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor supplier certifications and reporting Monitor/coordinate subcontract approvals Monitor deliverables and acceptance Monitor supplier warranties Coordinate/monitor transmittal of and access to government property/data Monitor invoicing and payment Monitor agency obligations Process disputes, claims and resolution Process requests under FOIA
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6 34.2.7  34.2.8 34.2.9 34.2.10 34.2.11 34.3 34.3.1 34.3.2	IT Contract Administration Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor supplier certifications and reporting Monitor deliverables and acceptance Monitor supplier warranties Coordinate/monitor transmittal of and access to government property/data Monitor invoicing and payment Monitor agency obligations Process requests under FOIA Modification processing and administration
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6 34.2.7  34.2.8 34.2.9 34.2.10 34.2.11 34.3 34.3.1 34.3.2 34.3.3	Supplier Suspension and Debarment – Reserved for Version 2.0  IT Contract Administration  Introduction  General contract administration  Core contract administration functions  Additional IT contract administration functions  Monitor contract compliance  Attend/host contract kick-off meeting  Monitor supplier certifications and reporting  Monitor deliverables and acceptance  Monitor supplier performance  Monitor supplier warranties  Coordinate/monitor transmittal of and access to government property/data  Monitor invoicing and payment  Monitor agency obligations  Process disputes, claims and resolution  Process requests under FOIA  Modification processing and administration  Contractual terms  Term or termination  Assignment/novations
Chapter 33 Chapter 34 34.0. 34.1 34.1.1 34.1.2 34.2 34.2.1 34.2.2 34.2.3 34.2.4 34.2.5 34.2.6 34.2.7  34.2.8 34.2.9 34.2.10 34.2.11 34.3 34.3.1 34.3.2	Introduction General contract administration Core contract administration functions Additional IT contract administration functions Monitor contract compliance Attend/host contract kick-off meeting Monitor/coordinate subcontract approvals Monitor deliverables and acceptance Monitor supplier varranties Coordinate/monitor transmittal of and access to government property/data Monitor invoicing and payment Monitor agency obligations Process disputes, claims and resolution Contractual terms Term or termination

34.3.6	Administrative changes
34.4	Conduct contract closeout
34.4.1	Final supplier reports
34.4.2	Final supplier deliverables
34.4.3	Final acceptance
34.4.4	Final property report
34.4.5	Final patent/royalty report
34.4.6	Final escrow report
34.4.7	Final payment
34.5	Conduct contract retirement
34.5.1	Update agency/Commonwealth contract, portfolio management and
	financial systems
34.5.2	File closed
34.5.3	File archived for retention
34.6	Contents of contract administration file
Chapter 35	PPEA and CIO PPEA – Reserved for Version 2.0
Chapter 36	Contract Closeout - Reserved for Version 2.0
Chapter 37	Surplus Property - Reserved for Version 2.0